GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2138
ANSWERED ON:11.08.2006
OFFICIAL LANGUAGE IN COURT
Mahato Shri Sunil Kumar;Prasad Shri Hari Kewal

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether litigation proceedings of the cases relating to Hindi knowing persons are conducted in English in High Courts and the Supreme Court;

(b) if so, whether Government is aware about the difficulty being faced by the commonmOn of the Hindi Speaking States;

(c) if so, whether the Government proposes to amend the Article 348(1) (2) of the Constitution in this regard;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY) :

(a) to (e) Article 348(1) of the Constitution of India provides that all proceedings in the Supreme Court and in every High Court shall be in English language until Parliament by law otherwise provides. Under Article 348(2) the Governor of the State may with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in the proceedings of the High Court having its principal seat in that State provided that decrees, judgments or orders passed by such High Courts shall be in English. Under Section 7 of the Official Language Act, 1963, the use of Hindi or official language of a State in addition to the English language may be authorized, with the consent of the President of India, by the Governor of the State for the purpose of judgments etc. made by the High Court for that State. In so far as the Hindi speaking States are concerned the Governors of four States namely; Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh have authorized the use of Hindi in addition to English language in the proceedings as wed as the judgments, decrees etc. of the High Courts in their States. At present no proposal is under consideration of the Government to amend the aforesaid Article of the Constitution. However, the Registries of the Supreme Court of India and the Delhi High Court have been requested from time to time to encourage use of Hindi for administrative purposes.